

The applicants' elect the invention represented by forms disclosed in claim 4 which is directed toward a wipe moistened with an impregnation solution having a viscosity less than 2000 mPa.s.

The applicants' U.S. representative telephoned the examiner to convey the results of a discussion with the applicants' German representative which indicated that if the election was considered from the perspective of the examiner, it appears the subject matter of claim 4 could've been included in the election of species requirement. Although the applicants request that the entire invention be examined, if the election is maintained, it is requested that the subject matter of claim 4 be examined.

If this is not possible (or if the election of claim 4 cannot be correlated to a selection based on the examiner's original choices of oils or alcohol), it is requested that the examiner telephone the undersigned so that an oral election can be made. Applicants reserve the right to prosecute the subject matter of the non-elected claims in a divisional application, if such subject matter is not ultimately granted here.

Traversal of Election

Regarding the traversal, the applicants present that the election was made against the impregnation solutions but the invention is directed toward a wipe. For either situation, no reasons were given as to why claim 1 was deemed to be generic. (see MPEP 816 - "The particular reasons relied upon by the examiner for holding that the invention as claimed are either independent or distinct should be concisely stated. A mere statement of conclusion is inadequate.")

Moreover, even if claim 1 is generic to plurality of patentably distinct species, there must be some indication or reason why this plurality represents an undue burden upon the PTO. (see MPEP 803 - "If the search and examination of an entire application can be made without serious burden, *the examiner must examine it on the merits*, even though it includes claims to independent or distinct inventions.")

Early and favorable action is earnestly solicited.

Respectfully submitted,

NORRIS MCLAUGHLIN & MARCUS, P.A.

OFFICIAL

By

Howard C. Lee

Howard C. Lee
Reg. No. 48,104

220 East 42nd Street
30th Floor
New York, New York 10017
(212) 808-0700